

ay  
providing a pre-game mode of data entry in which one or more pre-game screens are displayed to prompt the entry of data which defines the parameters of a game to be played, and providing a choice of at least one of a plurality of game-interactive screens in a subsequent game-interactive mode of operation representing different levels of data recording detail;

entering the game-interactive mode during the game defined in the pre-game mode, and displaying the chosen game-interactive recording screen for the entry of game data as the game is being played; and

storing the recorded golf information in the memory for retrieval by the user after the game in the form of statistical or factual reports. *My*

#### Remarks

In view of the foregoing amendments and following remarks, favorable reconsideration of this application is respectfully requested.

With respect to the Notice of Informal Application, and the comment that "Figure 33 isn't described in spec", Applicant has renumbered Figures 33a-40 as Figures 34-41. Applicant has additionally made corresponding amendments to pages 12 and 31 of the specification. This brings the specification and drawings into conformity.

The Examiner has rejected claims 1-9 under 35 U.S.C.



\$102(e) in view of Barber.

The Examiner has incorrectly interpreted the function of Barber's keyboard 18 and cursor director device 60. The main idea behind the Barber device is to provide the golfer with distance calculations between shots. Barber's screens 20 accordingly comprise a plan view of golf course features and the distance between them, as shown in Figures 6 and 7. As a secondary feature, Barber's screens also include a fixed set of data fields shown in Figure 6 and reproduced below:

Hole: \_\_\_\_  
Distance: \_\_\_\_  
Par: \_\_\_\_  
Hcp: \_\_\_\_  
Your Score: \_\_\_\_

Distance: \_\_\_\_  
Hole: \_\_\_\_  
1-Hazard: \_\_\_\_  
Hit: \_\_\_\_  
Club: \_\_\_\_  
Recom.: \_\_\_\_  
Used: \_\_\_\_

As explained in column 5, lines 16-18, cursor key 60 is simply used to "provide distance information wherever it is positioned on the displayed fairway or green." It has no other function.

Like other prior art devices, Barber is limited in its performance capabilities by the fact that data selection and entry is largely key-dependent rather than screen-dependent as in the claimed invention. In other words, Barber uses a "fairway display" (column 5, line 21) whose data entry fields and format are fixed and unchanging, even when the player switches to a plan view of another golf hole. Barber's key-dependent data entry format then requires the use of both an



alphanumeric keypad 10 and a function-specific keyboard 62,64 as shown in Figure 4.

In contrast, Applicant's invention as set forth in claim 1 uses a screen-dependent data entry procedure with an accordingly simplified key arrangement for data entry in each field on each screen. Referring to amended claim 1, Applicant claims first, second and third key means as follows:

"first key means for selectively displaying screens"

"second field select key means for choosing a particular field on the displayed screen, the second field select key means comprising two tab keys for scrolling in opposite directions through the fields on the displayed screen"

"third value select key means for displaying and selectively recording or altering data in the selected field, the third value select key means comprising two scroll keys for scrolling in opposite directions through the predefined data associated with the field on the displayed screen"

Applicant's simplified data entry using the claimed tab and scroll keys, coupled with screen-dependent data selection, eliminates the prior art drawback of being limited to the type and number of keys on a handheld unit for data entry. Since Barber does not disclose the simplified, screen-dependent data entry apparatus of claim 1, the rejection of claim 1 and the claims dependent thereon is traversed.

The Examiner rejected claims 10-15 under 35 U.S.C. §103 as being unpatentable over Barber. With respect to claims 10-11, the Examiner acknowledges that Barber lacks the following features



of Applicant's invention:

- storing a plurality of pre-game, game-interactive and post-game information screens
- displaying pre-game screens to define parameters of the game to be played
- providing a choice among a plurality of game-interactive screens corresponding to the parameters entered in the pre-game screens

The Examiner first argues that "it would have been obvious to the skilled person that post-games data is stored." However, the "storing" of "post-games data" is not claimed in claim 10. Claim 10 recites "providing post-game reports" based on the game-entered data. Whether it would have been obvious to those skilled in the art to store "post-game data" is therefore irrelevant to this feature of the claim.

The Examiner next argues that a golfer's review of past performances "may be regarded as pre-game data or future data". The pre-game screens and data recited in claim 10 do not involve review of past performances. Instead, claim 10 recites that the pre-game screens "prompt entry of data defining parameters of a current or future game to be played"; i.e., the entry of game-defining data such as described on pages 19-22 with regard to the pre-game module 35 shown in Figure 2. Since the game parameters defined in the pre-game screens do not correspond to the past performance review relied on the by Examiner, this basis for the rejection is also traversed.

The Examiner's rejection next refers to the step of



"providing a choice among a plurality of game-interactive screens." The Examiner argues that:

"it would have been obvious ... to include a plurality of screens in the [Barber] computer in order to enter golf data for statistics. The motivation would be to enable the user to keep track the results of the golf games as well as player's performance data."

It is unclear which "plurality of screens" the Examiner is addressing with respect to claim 10. Without specifying whether the argument addresses pre-game, game-interactive, or post-game screens (or all three) the generality of the argument makes it difficult to respond. Applicant's invention is not simply concerned with displaying a "plurality of screens" to "keep track of the results of the golf games as well as player's performance data." Rather, claim 10 is directed to a particular and complementary display of pre-game and game-interactive screens, a topic simply not addressed by the Barber patent.

Moreover, to the extent Applicant understands the Examiner's argument, the Examiner appears to be improperly relying on his own opinion for the rejection, rather than art of record. There simply is no teaching or suggestion in Barber itself for the Examiner's "plurality of screens."

Accordingly, since the Examiner's argument does not clearly address claim 10, and since the Examiner appears to be relying on his own opinion rather than art of record, the rejection should either be restated or withdrawn.

A good description of the logical sequencing of the



different data entry screens in Applicant's screen-dependent invention is set forth on page 8, line 19 to page 10. It is believed this will help the Examiner better understand the differences between Applicant's claimed invention and the fixed, key-dependent data entry screen of the Barber patent.

Applicant has amended claim 10 to more clearly highlight the differences set forth above. The Examiner's "obvious" modification of Barber, and the supposed motivation therefor, accordingly do not address the merits of claim 10. In view of the reasons above, the rejection of claim 10 is believed to be traversed.

The Examiner further argued that claims 12-15 were similar in scope to claims 1, 3 and 6-11, and were therefore rejected under a similar rationale. The traverse of the rejections of claims 1, 3 and 6-11 as set forth above are accordingly believed to traverse the rejection of claims 12-15 as well.

Applicant has also amended claims 12-14 to highlight the separate pre-game and game-interactive modes of operation, in which selection of parameters in the pre-game mode define the scope of the game to be played, and therefore the nature of the data entry in the game-interactive mode. This simply is not disclosed or suggested by Barber, even as interpreted by the Examiner.

Claim 15 recites the pre-game, game-interactive and post-game information screens, as well as a sequential screen-



LAW OFFICES KRASS &amp; YOUNG, P.C., 3001 W. BIG BEAVER ROAD, SUITE 624, TROY, MICHIGAN 48064-3109 (313) 649-3333

changing key means; a non-sequential screen-changing key means; and the simplified field and value select key arrangement discussed above. Claim 15 is additionally amended to highlight the screen-dependent data entry features. Again, Barber's key-dependent, game-interactive only device does not anticipate or make obvious the invention of claim 15.

Applicant has added new dependent claims 16-18, dependent on claim 10. These are believed to be allowable with claim 10.

Applicant has added new independent claims 19 and 20, which are also believed to be allowable over the prior art of record for the reasons set forth above.

In view of the foregoing amendments and remarks, Applicant submits that the present application is in condition for allowance. If the Examiner has any questions or comments, he is respectfully invited to contact Applicant's undersigned attorney at (313) 662-0270.

Respectfully submitted,

By: 

Jason J. Young  
Reg. No. 34,048

Dated: 4-13-94

